## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO ALL CASES

## JOINT MOTION FOR ORDER TO SHOW CAUSE APPLICABLE TO ALL CASES WHY THE COURT SHOULD NOT ENTER A STIPULATED ORDER DISMISSING CERTAIN DEFENDANTS FROM ALL CASES WITHOUT PREJUDICE

Co-Lead Counsel for Plaintiffs and Defendants Coloplast Corp., Coloplast Manufacturing US, LLC, and Mentor Worldwide LLC respectfully request that the Court issue an Order to Show Cause why the Court should not enter an Order dismissing Coloplast A/S, Coloplast Manufacturing US, LLC, and Porges S.A. from all cases filed in MDL Nos. 2187, 2325, 2326, 2327, and 2387 without prejudice as set forth in the proposed Order attached hereto as Exhibit A.

Following negotiations between Co-Lead Counsel for Plaintiffs, Co-Lead Counsel for Defendants Coloplast Corp. and Coloplast Manufacturing US, LLC and Lead Counsel for Defendant Mentor Worldwide LLC, the parties reached an agreement on the language of the proposed Order. The Court then instructed the parties to file the instant motion.

For the foregoing reasons, Co-Lead Counsel for Plaintiffs and Defendants Coloplast Corp., Coloplast Manufacturing US, LLC, Mentor Worldwide LLC respectfully request that the Court enter the Order attached hereto as Exhibit A.

This 19<sup>th</sup> day of April, 2013.

Attorneys for Plaintiffs

Attorneys for Coloplast Corp. and Coloplast

Manufacturing US, LLC

**BURNETT LAW FIRM** 

FULBRIGHT & JAWORSKI L.L.P.

By:

By:

/s/ Riley L. Burnett, Jr.

Riley L. Burnett, Jr. 55 Waugh Dr., Suite 803 Houston, TX 77007 rburnett@rburnettlaw.com

Telephone: (832) 413-4410 Facsimile: (832) 900-2120

MUELLER LAW

By:

/s/ Mark R. Mueller\_

Mark R. Mueller 404 West 7th Street Austin, TX 78701 receptionist@muellerlaw.com

Telephone: (512) 478-1236 Facsimile: (512) 478-1473

SALIM-BEASLEY, LLC

By:

/s/ Robert L. Salim\_

Robert L. Salim 1901 Texas Street Natchitoches, LA 71457 robertsalim@cp-tel.net Telephone: (318) 352-5999

Telephone: (318) 352-5999 Facsimile: (318) 354-1227

/s/ Lana K. Varney

Lana K. Varney 98 San Jacinto Boulevard, Suite 1100

Austin, TX 78746 lvarney@fulbright.com Telephone: (512) 536-4594 Facsimile: (512) 536-4598

Ronn B. Kreps 2100 IDS Center 80 South Eighth Street Minneapolis, MN 55402 <u>rkreps@fulbright.com</u> Telephone: (612) 321-2810

Facsimile: (612) 321-2288

Attorneys for Mentor Worldwide LLC

TUCKER ELLIS LLP

By:

- 3 -

/s/ Dustin B. Rawlin

Dustin B. Rawlin 925 Euclid Avenue, Suite 1150 Cleveland, OH 44115 Dustin.Rawlin@tuckerellis.com Telephone: (216) 696-4235

Facsimile: (216) 592-5009

## **CERTIFICATE OF SERVICE**

I hereby certify that on April 19, 2013, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Lana K. Varney Lana K. Varney, Esq.